

REQUEST TO VACATE CITY PROPERTY

1. Use of this form. Use this form to request the vacation of a street, right-of-way, easement or other real property or real property rights owned by the City of Madison.

2. Instructions. Please fill out this page and attach (1) a complete legal description of the property to be vacated, (2) a complete legal description of the lot where the property to be vacated is located, (3) a professionally prepared survey, plat, or similar document depicting the location of the lot and the property to be vacated and (4) copy of deed. In the case of street vacations, all adjoining lots must be depicted as well.

3. Approvals Required. You are responsible for obtaining approval of the requested vacation from the following:

- a. Huntsville Utilities or Athens Utilities (whichever is applicable)
- b. Madison Water and Wastewater Authority
- c. North Alabama Gas District
- d. City of Madison Public Works Department
- e. Madison City Engineer
- f. Director of Community Development

4. You should obtain approvals (a) through (e) and submit all documents, including the signature page, to the Community Development Department. If approved, the Community Development Director will forward this application to the City Attorney, who will complete any additional required documents and schedule the request to be heard by the City Council. Council action will normally be taken within five weeks after Community Development receives the completed application with all supporting documents.

5. Fees. The City currently charges fifty dollars (\$50.00) for each request. The monetary fee for quitclaimed property is normally one dollar (\$1.00). Any review fees levied by utility companies are the responsibility of the applicant.

6. In addition to the \$50.00 administrative fee, you will be responsible for having an Ordinance and Quitclaim Deed prepared by your attorney. You may choose any attorney you like to do this. If you desire, however, the City Attorney's office will provide this service for \$150.00. Please indicate below whether you would like the City Attorney's office to prepare these documents.

☐ **YES**, please have the City Attorney's Office prepare an Ordinance and Quitclaim Deed for this transaction. I understand that City staff will forward this application to the City Attorney's Office once the Director of Community Development has approved it and all applicable fees have been paid.

☐ **NO**, I prefer to have my own attorney prepare these documents. Please return this application to me after it has been reviewed and approved by City staff.

Signature: _____

Date: _____

Questions. Please direct all questions to James Chandler, City Engineering Inspector at 772-5632.

REQUEST TO VACATE REAL PROPERTY OWNED BY THE CITY OF MADISON

Name: _____

Address/Phone _____

Location of property (state lot and block or attach metes and bounds description of entire lot)

Lot _____ Block _____ Description attached _____

State your ownership in this lot:

☐ Fee simple estate

☐ Leased fee

☐ Easement

☐ Renter or leaseholder

☐ Other

(describe) _____

This request is to vacate an (check one)

☐ Easement (☐ utility ☐ access ☐ landscape)

☐ Paved street

☐ Unpaved right-of-way

☐ Other (describe) _____

Reason for request::

To the best of your knowledge, are any utilities in the easement, including drainage ditches or pipes?

☐ YES

☐ NO

I hereby make application for vacation of the above cited property owned by the City of Madison. All of the statements contained in this application are true to the best of my knowledge and belief. I have attached all documents listed on the instructions sheet.

Signature/Date: _____

Description of property to be vacated:

I have reviewed the attached legal description and drawing in reference to the above described property and have no objection to the vacation of the easement described and highlighted on the drawing.

Electrical Department

Date_____

Madison Water and Wastewater Authority

Date_____

North Alabama Gas

Date_____

Madison Public Works Department

Date_____

Madison City Engineer

Date_____

Director of Community Development Department

Date_____